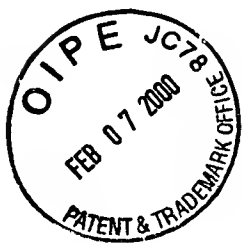


#3
Reconsidering
2-11-00
H.P.B.

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Loprete GROUP ART UNIT: 3746
SERIAL NO.: 09/090,358 EXAMINER: Not Assigned
FILED: June 4, 1998
FOR: SCROLL COMPRESSOR WITH MOTOR CONTROL
FOR CAPACITY MODULATION
ATTORNEY DOCKET NO.: 60,298-038



Assistant Commissioner for Patents
Washington, D.C. 20231

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REQUEST FOR RECONSIDERATION

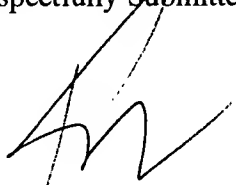
Dear Sir:

Reconsideration of the office action mailed 22 November 1999 is requested. The Examiner attempts to reject the claims over the *Sisk* patent combined with the *Wallis, et al.* patent. *Wallis, et al.* is merely relied upon to show the known use of scroll compressors. *Sisk* discloses a reciprocating piston compressor having certain features with regard to its drive. The Examiner suggests that it would have been obvious to substitute a scroll compressor into the *Sisk* device.

However, the above ignores the realities of scroll compressors. One of the biggest problems in scroll compressor development is so-called "reverse rotation". When the scroll members are driven in the non-forward direction, the compressor is in danger of being harmed. No scroll compressor designer would typically wish to rotate the scroll compressor in the reverse direction for any length of time. The same is not truth for reciprocating piston compressors generally. The statement that it would have been obvious to stick a scroll compressor into the *Sisk* environment is thus simply not the case.

The claims all require that the scroll member be driven in the forward direction regardless of direction of motor rotation. *Sisk* does not meet this limitation. In sum, the claims are allowable even accepting the propriety of the combination. However, the combination is improper and the claims are allowable for that additional reason.

Respectfully Submitted,



Theodore W. Olds, Registration No. 33,080
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1400 N. Woodward Avenue, Suite 101
Bloomfield Hills, MI 48304-2856
(248) 645-1483

Dated: January 28, 2000

CERTIFICATE OF MAILING

I hereby certify that the attached **Request for Reconsideration** is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231, on January 28, 2000.



Tracy L. Smith

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